EUROPEAN COMMUNITIES

THE COUNCIL

Brussels, 28 July 1993

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ECO 201

TRANSMISSION NOTE

from the Danish delegation

to Working Party on Economic Questions (data protection)

no. Cion prop.: 9400/92 ECO 221 - COM(92) 422 final SYN 287

Subject: Amended proposal for a Council Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data

Delegations will find attached a note from the Danish delegation concerning proposals for a new wording of Article 6, paragraph 1, letter b and for a new paragraph 2 of Article 6; as well as a proposal for a possible Article 9a regarding the processing of personal data for scientific and statistical purposes.
1. **Proposal for a new wording of Article 6, paragraph 1, littera b**

   "......

   b) recorded for specified and legitimate purposes and not used in a way incompatible with those purposes.

   .......

2. **Proposal for a new paragraph 2 in Article 6 in SYN 287:**

   "2. Member States may lay down exemptions from paragraph 1, if such exemptions are necessary to:

   a) protect state security, public safety, the monetary interests of the state or the suppression of criminal offences.

   b) protect the data subject or the rights and freedom of others".

3. **Proposal for an Article 9a in SYN 287:**

   "Article 9a

   Processing of personal data for scientific and statistical purposes

   1. With a view to reconciling the right to privacy with the rules governing the right to exercise scientific research and statistics of paramount importance to society at large, Member States may prescribe exceptions from this Directive if the personal data are processed solely for scientific or statistical purposes.

   2. The processing of data referred to in paragraph 1, shall be subject to prior notification to the supervisory authority referred to in Article 30. To obtain adequate guaranties, the supervisory authority may lay down detailed provisions for the processing in question.".